

MEMO

TO: Drug Laboratory Chemists

FR: Charles Salemi

Laboratory Supervisor

CBS

RE: Net Weighing of Marijuana items

DA: 2/03/2009

As a result of the changes in the Commonwealth's drug laws, that became effective January 2, 2009, the Drug Analysis Laboratory will have to make certain changes to the way it tests routine marijuana items.

NOTE: these changes are for submissions to the Laboratory that have an arrest date of January 2, 2009, or later. Those items submitted with an arrest date before 1/02/2009 will be analyzed as has been previously done.

Vegetable Matter that has an arrest date of January 2, 2009 or later will be handled in the following manner:

1) Single Bag

- a) If the Gross weight of the item is less than 28 grams, then a net weight will not be determined.
- b) If the gross weight is greater than 28 grams, then the chemist will determine the net weight of the vegetable material. If the net weight is greater than 28.00 grams, then it will be reported on the certificate.

2) Multiple Bags (one lab number)

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- a) If the gross weight of all the bags is less than 28 grams, only one bag will be analyzed and a net weight will not be determined.
- b) If the gross weight of all the bags is greater than 28 grams, and the chemist estimates that the total net weight may be greater than 28 grams, then the chemist will test and determine the net weight of enough bags to insure that the net weight is greater than 28.00 grams. The net weight of the tested bags will be reported on the certificate.

For Example: If one bag out of X number is determined to have a net weight greater than 28.00 grams, then testing one bag is sufficient. If one bag is tested and the net weight is less than 28.00 grams, then the chemist will continue to test enough bags to insure an amount greater than 28.00 grams.

3) Multiple Laboratory Numbers (same defendant)

The chemist will total the Evidence Office Gross Weight on all the Control Cards

- a) If the total of the Evidence Office gross weight on all control cards is less than 30 grams, then the chemist will analyze the largest item only and a net weight will not be determined. The other items will be NOT TESTED
- b) If the total Evidence Office gross weight on all cards totals more than 30 grams, then the chemist will test the largest item. If the net weight of that item is greater than 28.00 grams, then the other items do not need to be tested. If the tested item is less than 28.00 grams, the chemist will continue to analyze items until a net weight total of 28.00 grams is surpassed. The net weight of the bags that were tested will be reported on the certificate.

There will be many instances that do not fit the situations described above. Chemists should check with the laboratory supervisor or a senior chemist to determine a proper sampling procedure.

Example: If the item or items consist of several large bags (each one pound or greater), the chemist and the Supervisor may decide to test more than one bag to insure adequate analysis for court purposes.
